

From: [Sweeney, Edward](#)
To: kbogardus@eenews.net
Subject: FOIA Appeal No. EPA-HQ-2020-004463
Date: Monday, June 1, 2020 6:14:00 PM

Good evening Mr. Bogardus,

I've been assigned to FOIA Appeal No. EPA-HQ-2020-004463. Your FOIA Appeal is currently under review. Due to the need for consultation with another office having a substantial interest in the determination of the request, an extension of time required to respond to your appeal is necessary. The Office of General Counsel expects to be able to complete your appeal by June 4, 2020, three working days from the current deadline. If you have any questions regarding the status of the appeal, please do not hesitate to contact me.

Respectfully submitted,

Edward O. Sweeney, Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel (MC 2377A)
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460
Tel: 202-564-2945

From: [Sweeney, Edward](#)
To: [White, Elizabeth](#)
Subject: FW: Acoustical (booth) Proposal.pdf
Date: Thursday, June 4, 2020 7:24:00 PM
Attachments: [Acoustical \(booth\) Proposal.pdf](#)

FYI for your discussion with Ted.

Edward O. Sweeney, Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel (MC 2377A)
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460
Tel: 202-564-2945

From: Kaminer, Joan <Kaminer.Joan@epa.gov>
Sent: Thursday, June 4, 2020 4:32 PM
To: Sweeney, Edward <Sweeney.Edward@epa.gov>
Subject: Acoustical (booth) Proposal.pdf

See attached with the proposal. I also looked at the workspace (ED_001784) and we withheld the layout of the administrator's office under 7(f).



U.S. Environmental Protection Agency
Ronald Reagan Building #71223
1200 Pennsylvania Ave
Washington, DC
2046

29th Aug 2017

Project: Privacy Booth, DC
Reference: Aco-Sol Proposal #07-EPA007-003
Attn: Jessica V. Wilson
P: (202)-564-2504
E: wilson.jessica@epa.gov

Dear Madam,

Acoustical Solutions are pleased to provide the following technical proposal for the supply of Privacy Booth at William Jefferson Building North Building, DC.

(b)(4)

Single (1) Privacy Booth 4'2" Wide x 3'6" Length x 7'4 3/4" Height, detail dimensions as mentioned in the Proposal Drawing 170806TH02-1. This includes silenced ventilation, STC 50 rated acoustic window, and lighting operable by a switch.

Method followed to ensure STC-50:

(b)(4)

STC is the laboratory measurement of acoustic transmission loss performance. (b)(4)

(b)(4)

Hence, by guaranteeing and (b)(4), we are proposing a solution which exceeds the STC 50 design criterion.

(b)(4)

Page 1 of 3



Cost Breakdowns:

Option 1 - Working on regular business hours

Materials	\$ (b)(4)
Labor and Installation.....	
Freight.....	
TOTAL.....	\$

Option 2 - Working outside regular business hours

Materials	\$
Labor and Installation.....	
Freight.....	
TOTAL.....	\$

Option 3 - Expedited Materials AND Working on regular business hours

Materials - Expedited	\$
Labor and Installation.....	
Freight.....	
TOTAL.....	\$

Option 4 - Expedited Materials AND Working outside regular business hours

Materials - Expedited	\$
Labor and Installation.....	
Freight.....	
TOTAL.....	\$24,570

General Notes:

- (b)(4)
-
-

NOTE:

(b)(4)

The Material of the Booth is covered with **One (1) year WARRANTY.**
Installation of the Booth is covered with **One (1) year INSTALLATION WARRANTY.**



Please contact the undersigned directly with any questions or clarifications needed to fully evaluate this proposal.

Yours Sincerely,

(b)(4)

Acoustical Solutions LLC

Email: (b)(4)

Dir: (b)(4)

Lead Time:

Submit Shop Drawing

2 weeks ARO and all required design data

Ship Material

STANDARD

10-12 Weeks after submittal approval

EXPEDITE

4-6 Weeks after submittal approval

All prices are based upon strict compliance with the following terms & conditions.

(b)(4)

From: [Miller, Kevin](#)
To: [Blake, Wendy](#)
Cc: [Sweeney, Edward](#)
Subject: FW: FOIA Appeal No. EPA-HQ-2020-004463
Date: Tuesday, May 5, 2020 8:51:15 AM

We'll need to discuss this one, maybe at the next OEX/OGC meeting. This concerns the phone booth picture.

Kevin

From: White, Elizabeth <white.elizabeth@epa.gov>
Sent: Monday, May 4, 2020 10:08 PM
To: Miller, Kevin <Miller.Kevin@epa.gov>
Cc: Sweeney, Edward <Sweeney.Edward@epa.gov>
Subject: Re: FOIA Appeal No. EPA-HQ-2020-004463

No. This was the original request and we withheld the picture. This is his appeal.

Sent from my iPhone

On May 4, 2020, at 9:23 PM, Miller, Kevin
<Miller.Kevin@epa.gov> wrote:

Beth,

This looks like it is for a picture of the phone booth. Did you release the picture to another requestor a couple of months ago? I remember there was some back and forth on a response to press inquiry.

Kevin

From: Blair, Shirley <Blair.Shirley@epa.gov>
Sent: Monday, May 4, 2020 3:59 PM
To: White, Elizabeth <white.elizabeth@epa.gov>
Cc: Sweeney, Edward <Sweeney.Edward@epa.gov>; Schwarz, Matthew <Schwarz.Matthew@epa.gov>; Blake, Wendy <Blake.Wendy@epa.gov>; Miller, Kevin <Miller.Kevin@epa.gov>; Epp, Timothy <Epp.Timothy@epa.gov>; Walker, Denise <Walker.Denise@epa.gov>
Subject: FOIA Appeal No. EPA-HQ-2020-004463

Beth,

Re: FOIA Appeal No. EPA-HQ-2020-004463

I am writing to notify you that FOIA Number EPA-HQ-2018-001315, to which your office responded on March 11, 2020 has been appealed. The FOIA requester, Kevin Bogardus, filed his appeal on May 1, 2020.

This appeal has been assigned to **Ed Sweeney** in the General Law Office, and he will be contacting you to discuss this appeal. In the interim, please have your staff ensure that all appropriate records and correspondence associated with your March 11, 2020 response have been uploaded into the request file in FOIAonline.

Finally, you may access the complete details of the appeal in FOIAonline. For ease of reference, I have attached a copy of the appeal.

Respectfully,

Shirley Blair
Program Assistant
General Law Office

Cc: Ed Sweeney
Matt Schwarz
Wendy Blake
Kevin Miller
Tim Epp
Denise Walker

<EPA Appeal Phone Booth Photos.pdf>

From: [Sweeney, Edward](#)
To: [White, Elizabeth](#); [Dziadosz, Anna](#)
Subject: Phone Booth Appeal
Start: Tuesday, June 2, 2020 10:00:00 AM
End: Tuesday, June 2, 2020 10:30:00 AM
Location: Skype Meeting

Hi Beth/Anna,

This shouldn't take long, but is time-sensitive. If there's a better time for us to connect tomorrow morning, just let me know.

Thanks,

Ed

.....

Join Skype Meeting <<https://meet.lync.com/usepa/sweeney.edward/V6PFRS37>>

Trouble Joining? Try Skype Web App <<https://meet.lync.com/usepa/sweeney.edward/V6PFRS37?sl=1>>

Help <<http://intranet.epa.gov/otopintr/webconferencing/o365-conferencing.html>>

[!OC([1033])!]

.....

From: [Juarez, Damon](#)
To: [Stanich, Ted](#)
Cc: [Kudarauskas, Paul](#); [Chopp, Justine](#); [Martin, JohnC](#); [Sweeney, Edward](#)
Subject: Photo FOIA
Date: Thursday, June 25, 2020 10:57:40 AM

Ted,

I just got off the phone with our liaison and received input from their Information Security office.

(b)(5) DP [REDACTED]

[REDACTED]

[REDACTED]

Damon

Sent from my iPhone

From: [Sweeney, Edward](#)
To: [White, Elizabeth](#)
Subject: Privacy Booth FOIA Appeal
Date: Thursday, June 25, 2020 3:26:00 PM

Hi Beth,

Not sure if you're back in the office, but I'd like to close the loop with you about this FOIA appeal. Is there a good time for us to connect sometime this afternoon?

Thanks,
Ed

Edward O. Sweeney, Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel (MC 2377A)
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460
Tel: 202-564-2945

From: [Sweeney, Edward](#)
To: [Miller, Kevin](#)
Subject: Privacy Both FOIA Appeals
Date: Tuesday, June 2, 2020 1:00:00 PM
Attachments: [Appeal No. EPA-HQ-2020-004463 - Appeal Determination \(6-2-20\).doc](#)
[Appeal No. EPA-HQ-2020-004517 - Appeal Determination \(6-2-20\).doc](#)
Importance: High

Kevin, attaching the draft FOIA appeal determinations for your review. b(5) DP
[REDACTED] If I should be doing anything in the
interim, please just let me know. Thanks - Ed

Edward O. Sweeney, Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel (MC 2377A)
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460
Tel: 202-564-2945

From: [Juarez, Damon](#)
To: [Sweeney, Edward](#); [Stanich, Ted](#)
Cc: [Kudarauskas, Paul](#); [White, Elizabeth](#); [Miller, Kevin](#)
Subject: RE: Booth Phot Follow-up
Date: Friday, June 5, 2020 2:20:44 PM

Ed and Ted,

I don't believe I have a copy of the picture in question to review with IC partners regarding releasability.

b(5) DP ACP



Can someone send me that photograph for review?

Thanks.

Damon

Damon P. Juarez
Acting Senior Intelligence Advisor
Office of the Administrator
U.S. Environmental Protection Agency

Office: (202) 564-0746

Cell: (b) (6)

Secure: (b) (6)

NIPR: (b) (6)

SIPR: (b) (6)

JWICS: (b) (6)

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From: Sweeney, Edward <Sweeney.Edward@epa.gov>
Sent: Friday, June 05, 2020 1:49 PM
To: Stanich, Ted <Stanich.Ted@epa.gov>

Cc: Juarez, Damon <Juarez.Damon@epa.gov>; Kudarauskas, Paul <Kudarauskas.Paul@epa.gov>; White, Elizabeth <white.elizabeth@epa.gov>; Miller, Kevin <Miller.Kevin@epa.gov>
Subject: RE: Booth Phot Follow-up

Ted, thank you, and thanks in advance for reaching out to IC.

(b)(5) DP ACP AWP

Don't hesitate to reach out with any questions or concerns.

Cc'ing Kevin for awareness.

Thanks again,

Edward O. Sweeney, Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel (MC 2377A)
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460
Tel: 202-564-2945

From: Stanich, Ted <Stanich.Ted@epa.gov>
Sent: Friday, June 5, 2020 1:35 PM
To: Sweeney, Edward <Sweeney.Edward@epa.gov>
Cc: Juarez, Damon <Juarez.Damon@epa.gov>; Kudarauskas, Paul <Kudarauskas.Paul@epa.gov>; White, Elizabeth <white.elizabeth@epa.gov>
Subject: Booth Phot Follow-up

Ed:

I spoke with my Intel staff about the photo of the booth after our discussion this week

(b)(5) DP

Can we circle back early next week?

v/r,
Ted J. Stanich
Associate Administrator
& Federal Senior Intelligence Coordinator
Office of the Administrator
Office of Homeland Security
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., NW
Washington, DC 20460
Office: 202-564-5484

Cell: [REDACTED]

HSDN: (b) (6) [REDACTED]

JWICS: (b) (6) [REDACTED]

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From: [Sweeney, Edward](#)
To: [Miller, Kevin](#)
Subject: RE: Call
Date: Friday, June 19, 2020 11:18:00 AM

Yes, just wanted to quickly connect about the Privacy Booth appeal. Do you have any availability before I sign off at 1:30? It's not urgent and can wait until Monday.

Edward O. Sweeney, Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel (MC 2377A)
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460
Tel: 202-564-2945

-----Original Message-----

From: Miller, Kevin <Miller.Kevin@epa.gov>
Sent: Friday, June 19, 2020 11:08 AM
To: Sweeney, Edward <Sweeney.Edward@epa.gov>
Subject: Call

Ed

Did you try calling earlier?

Sent from my iPhone

From: [Sweeney, Edward](#)
To: [Miller, Kevin](#)
Subject: RE: Could you touch base with us on your pending appeal?
Date: Monday, May 18, 2020 12:45:00 PM

Sounds good

Edward O. Sweeney, Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel (MC 2377A)
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460
Tel: 202-564-2945

From: Miller, Kevin <Miller.Kevin@epa.gov>
Sent: Monday, May 18, 2020 12:39 PM
To: Sweeney, Edward <Sweeney.Edward@epa.gov>
Subject: RE: Could you touch base with us on your pending appeal?

On call, it may end early. I'll call you if it does.

From: Sweeney, Edward <Sweeney.Edward@epa.gov>
Sent: Monday, May 18, 2020 12:38 PM
To: Miller, Kevin <Miller.Kevin@epa.gov>
Subject: RE: Could you touch base with us on your pending appeal?

Right, thanks. Can I give you a quick call to discuss?

Edward O. Sweeney, Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel (MC 2377A)
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460
Tel: 202-564-2945

From: Miller, Kevin <Miller.Kevin@epa.gov>
Sent: Monday, May 18, 2020 12:37 PM
To: Sweeney, Edward <Sweeney.Edward@epa.gov>
Subject: FW: Could you touch base with us on your pending appeal?

This is the photo appeal.

From: Blake, Wendy <Blake.Wendy@epa.gov>
Sent: Monday, May 18, 2020 12:10 PM
To: Sweeney, Edward <Sweeney.Edward@epa.gov>

Cc: Miller, Kevin <Miller.Kevin@epa.gov>; Schwarz, Matthew <Schwarz.Matthew@epa.gov>

Subject: Could you touch base with us on your pending appeal?

Beth asked about the appeal at our biweekly meeting. Thanks in advance.

Wendy L. Blake
Associate General Counsel
General Law Office
Office of General Counsel
U.S. Environmental Protection Agency
phone: (202) 564-1821
fax: (202) 564-5433

From: [White, Elizabeth](#)
To: [Miller, Kevin](#)
Cc: [Sweeney, Edward](#)
Subject: Re: FOIA Appeal No. EPA-HQ-2020-004463
Date: Monday, May 4, 2020 10:08:13 PM

No. This was the original request and we withheld the picture. This is his appeal.

Sent from my iPhone

On May 4, 2020, at 9:23 PM, Miller, Kevin <Miller.Kevin@epa.gov> wrote:

Beth,

This looks like it is for a picture of the phone booth. Did you release the picture to another requestor a couple of months ago? I remember there was some back and forth on a response to press inquiry.

Kevin

From: Blair, Shirley <Blair.Shirley@epa.gov>
Sent: Monday, May 4, 2020 3:59 PM
To: White, Elizabeth <white.elizabeth@epa.gov>
Cc: Sweeney, Edward <Sweeney.Edward@epa.gov>; Schwarz, Matthew <Schwarz.Matthew@epa.gov>; Blake, Wendy <Blake.Wendy@epa.gov>; Miller, Kevin <Miller.Kevin@epa.gov>; Epp, Timothy <Epp.Timothy@epa.gov>; Walker, Denise <Walker.Denise@epa.gov>
Subject: FOIA Appeal No. EPA-HQ-2020-004463

Beth,

Re: FOIA Appeal No. EPA-HQ-2020-004463

I am writing to notify you that FOIA Number EPA-HQ-2018-001315, to which your office responded on March 11, 2020 has been appealed. The FOIA requester, Kevin Bogardus, filed his appeal on May 1, 2020.

This appeal has been assigned to **Ed Sweeney** in the General Law Office, and he will be contacting you to discuss this appeal. In the interim, please have your staff ensure that all appropriate records and correspondence associated with your March 11, 2020 response have been uploaded into the request file in FOIAonline.

Finally, you may access the complete details of the appeal in FOIAonline. For ease of reference, I have attached a copy of the appeal.

Respectfully,

Shirley Blair
Program Assistant
General Law Office

Cc: Ed Sweeney
Matt Schwarz
Wendy Blake
Kevin Miller
Tim Epp
Denise Walker

<EPA Appeal Phone Booth Photos.pdf>

From: [Blake, Wendy](#)
To: [Willey, Katharine](#)
Cc: [Sweeney, Edward](#); [Miller, Kevin](#); [Schwarz, Matthew](#)
Subject: RE: our 5:45 pm meeting tonight
Date: Wednesday, June 24, 2020 5:20:54 PM

No problem. It won't take long.

Wendy L. Blake
Associate General Counsel
General Law Office
Office of General Counsel
U.S. Environmental Protection Agency
phone: (202) 564-1821
fax: (202) 564-5433

From: Willey, Katharine <willey.katharine@epa.gov>
Sent: Wednesday, June 24, 2020 5:20 PM
To: Blake, Wendy <Blake.Wendy@epa.gov>
Cc: Sweeney, Edward <Sweeney.Edward@epa.gov>; Miller, Kevin <Miller.Kevin@epa.gov>; Schwarz, Matthew <Schwarz.Matthew@epa.gov>
Subject: RE: our 5:45 pm meeting tonight

Yep. I accepted, may have to push 5 minutes but will let you all know.

From: Blake, Wendy <Blake.Wendy@epa.gov>
Sent: Wednesday, June 24, 2020 5:10 PM
To: Willey, Katharine <willey.katharine@epa.gov>
Cc: Sweeney, Edward <Sweeney.Edward@epa.gov>; Miller, Kevin <Miller.Kevin@epa.gov>; Schwarz, Matthew <Schwarz.Matthew@epa.gov>
Subject: our 5:45 pm meeting tonight

Katharine – We have a sensitive appeal on which we need 10 minutes of your time tonight at 5:45 pm. I hope this time works for you. I sent an invite.

Wendy

Wendy L. Blake
Associate General Counsel
General Law Office
Office of General Counsel
U.S. Environmental Protection Agency
phone: (202) 564-1821
fax: (202) 564-5433

From: [Sweeney, Edward](#)
To: [Miller, Kevin](#)
Subject: RE: phone booth appeal
Date: Monday, June 15, 2020 10:36:00 AM

Sorry, Kevin. Meant to check in with you on Friday about this appeal. b(5) DP AWP

[REDACTED]

[REDACTED]

Edward O. Sweeney, Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel (MC 2377A)
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460
Tel: 202-564-2945

From: Miller, Kevin <Miller.Kevin@epa.gov>
Sent: Monday, June 15, 2020 9:24 AM
To: Sweeney, Edward <Sweeney.Edward@epa.gov>
Subject: phone booth appeal

Ed,

I have a biweekly with Beth at noon and want to bring this up. Can you remind me where this stands. Thanks.

Kevin

From: [Sweeney, Edward](#)
To: [White, Elizabeth](#)
Cc: [Dziadosz, Anna](#)
Subject: RE: Phone Booth FOIA Appeal
Date: Thursday, May 21, 2020 9:00:00 PM

Sounds good, I'll find time on your calendars.

Edward O. Sweeney, Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel (MC 2377A)
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460
Tel: 202-564-2945

From: White, Elizabeth <white.elizabeth@epa.gov>
Sent: Thursday, May 21, 2020 6:02 PM
To: Sweeney, Edward <Sweeney.Edward@epa.gov>
Cc: Dziadosz, Anna <dziadosz.anna@epa.gov>
Subject: RE: Phone Booth FOIA Appeal

Can we speak on Tuesday?

Beth White

Director, Office of the Executive Secretariat
U.S. Environmental Protection Agency
(202) 564-1781 direct
(b) (6) cell

From: Sweeney, Edward <Sweeney.Edward@epa.gov>
Sent: Thursday, May 21, 2020 4:36 PM
To: White, Elizabeth <white.elizabeth@epa.gov>
Cc: Dziadosz, Anna <dziadosz.anna@epa.gov>
Subject: Phone Booth FOIA Appeal

Beth,

I connected with Kevin. Can you and I try to speak either today or tomorrow?

Thanks,
Ed

Edward O. Sweeney, Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel (MC 2377A)
1200 Pennsylvania Avenue, N.W.

Washington, DC 20460
Tel: 202-564-2945

From: [White, Elizabeth](#)
To: [Sweeney, Edward](#)
Subject: Re: Privacy Booth FOIA Appeals
Date: Thursday, June 4, 2020 6:02:44 PM

I may ring you in next 5 mins if that works.

Sent from my iPhone

On Jun 4, 2020, at 2:13 PM, Sweeney, Edward <Sweeney.Edward@epa.gov> wrote:

Yes, I spoke with Ted as well as with Joan/Kevin. Joan spoke to Diane Lasher (SMD) who I believe manages EPA National Security Information (NSI) program, and was helpful. If you have a few minutes tonight or tomorrow, I'm happy to fill you in. Thanks.

Edward O. Sweeney, Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel (MC 2377A)
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460
Tel: 202-564-2945

From: White, Elizabeth <white.elizabeth@epa.gov>
Sent: Thursday, June 4, 2020 4:52 PM
To: Sweeney, Edward <Sweeney.Edward@epa.gov>
Subject: Re: Privacy Booth FOIA Appeals

Ed- any word from Ted?

Sent from my iPhone

On Jun 2, 2020, at 8:11 AM, Sweeney, Edward
<Sweeney.Edward@epa.gov> wrote:

Hi Beth,

Following up from our discussion a short while ago. As discussed, (b)(5) DP AWP

[REDACTED]
[REDACTED]
[REDACTED]

[illegible]

Age Group	Percentage Vaccinated
18-24	65%
25-34	85%
35-44	90%
45-54	88%
55-64	92%
65-74	95%
75-84	93%
85+	91%
All ages	88%

[illegible]

Thanks,
Ed

Edward O. Sweeney, Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel (MC 2377A)
1200 Pennsylvania Avenue, N.W.

Washington, DC 20460

Tel: 202-564-2945

<2018-09-04_TheBooth_08.jpg>

From: [Sweeney, Edward](#)
To: [Willey, Katharine](#); [Blake, Wendy](#)
Cc: [Schwarz, Matthew](#); [Miller, Kevin](#); [Packard, Elise](#)
Subject: RE: Privacy Booth FOIA Appeals / Bullets for Matt L.
Date: Thursday, June 25, 2020 4:10:00 PM

Katharine,

Thanks. And just fyi, I haven't heard back from Beth and suspect she isn't online. I'm compressed tomorrow but reachable by phone if you need me.

Thanks again,
Ed

Edward O. Sweeney, Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel (MC 2377A)
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460
Tel: 202-564-2945

From: Willey, Katharine <willey.katharine@epa.gov>
Sent: Thursday, June 25, 2020 12:18 PM
To: Blake, Wendy <Blake.Wendy@epa.gov>
Cc: Schwarz, Matthew <Schwarz.Matthew@epa.gov>; Miller, Kevin <Miller.Kevin@epa.gov>; Sweeney, Edward <Sweeney.Edward@epa.gov>; Packard, Elise <Packard.Elise@epa.gov>
Subject: RE: Privacy Booth FOIA Appeals / Bullets for Matt L.

These talking points look good Ed. I will send to Fletcher to place in Matt's binder tonight.

From: Blake, Wendy <Blake.Wendy@epa.gov>
Sent: Thursday, June 25, 2020 12:15 PM
To: Willey, Katharine <willey.katharine@epa.gov>
Cc: Schwarz, Matthew <Schwarz.Matthew@epa.gov>; Miller, Kevin <Miller.Kevin@epa.gov>; Sweeney, Edward <Sweeney.Edward@epa.gov>; Packard, Elise <Packard.Elise@epa.gov>
Subject: RE: Privacy Booth FOIA Appeals / Bullets for Matt L.

Great. Thanks Ed for following up. **b(5) DP AWP**

Ed – Please follow up with

Wendy L. Blake
Associate General Counsel
General Law Office
Office of General Counsel
U.S. Environmental Protection Agency

phone: (202) 564-1821
fax: (202) 564-5433

From: Willey, Katharine <willey.katharine@epa.gov>
Sent: Thursday, June 25, 2020 12:02 PM
To: Blake, Wendy <Blake.Wendy@epa.gov>
Cc: Schwarz, Matthew <Schwarz.Matthew@epa.gov>; Miller, Kevin <Miller.Kevin@epa.gov>; Sweeney, Edward <Sweeney.Edward@epa.gov>; Packard, Elise <Packard.Elise@epa.gov>
Subject: RE: Privacy Booth FOIA Appeals / Bullets for Matt L.

I don't know if she is in the office. Ed why don't you reach out? I have a meeting with her on Friday and I can follow-up at that time if necessary.

From: Blake, Wendy <Blake.Wendy@epa.gov>
Sent: Thursday, June 25, 2020 12:01 PM
To: Willey, Katharine <willey.katharine@epa.gov>
Cc: Schwarz, Matthew <Schwarz.Matthew@epa.gov>; Miller, Kevin <Miller.Kevin@epa.gov>; Sweeney, Edward <Sweeney.Edward@epa.gov>; Packard, Elise <Packard.Elise@epa.gov>
Subject: FW: Privacy Booth FOIA Appeals / Bullets for Matt L.
Importance: High

Katharine –

We got an answer from NSA today, (b)(5) DP AWP
[REDACTED]

Below are the bullets Ed prepared. Do you know if Beth is in the office. Ed can communicate with Beth on the NSA response (b)(5) DP AWP
[REDACTED] Please advise.

(b)(5) DP AWP
[REDACTED]

Wendy

Wendy L. Blake
Associate General Counsel
General Law Office
Office of General Counsel
U.S. Environmental Protection Agency
phone: (202) 564-1821
fax: (202) 564-5433

From: Sweeney, Edward <Sweeney.Edward@epa.gov>
Sent: Thursday, June 25, 2020 11:28 AM

To: Blake, Wendy <Blake.Wendy@epa.gov>

Cc: Schwarz, Matthew <Schwarz.Matthew@epa.gov>; Miller, Kevin <Miller.Kevin@epa.gov>

Subject: Privacy Booth FOIA Appeals / Bullets for Matt L.

Wendy,

I spoke to Ted and Damon this morning. Damon followed up with NSA (b)(5) DP AWP

Here are the bullets for Matt:

Background:

- FOIA Appeal Numbers EPA-HQ-2020-004463 and EPA-HQ-2020-004517 ("Privacy Booth Appeal"), brought by two reporters from E&E News, challenge OEX's withholding of the same 1-page record under Exemption 7C or 7F.
 - Both appeals are past due as of June 1 and June 4, respectively.
- The record (attached) is an unclassified photograph of a privacy booth in the Administrator's office space.
- (b)(5) DP AWP

(b)(5) DP AWP

-

GLO's Coordination Efforts:

- Regarding Exemption 7, (b)(5) DP AWP
 -
- Kevin and Ed spoke to Joan about the applicability of Exemption 1. Joan looped in Diane Lasher (SMD) who is the SME for national security information at the Agency. (b)(5) DP AWP
- I have also coordinated with OHS.

(b)(5) DP AWP

(b)(5) DP AWP
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- (b)(5) DP AWP
- [Redacted]
[Redacted]
 - [Redacted]
[Redacted]
 - [Redacted]
[Redacted]

Edward O. Sweeney, Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel (MC 2377A)
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460
Tel: 202-564-2945

From: [Sweeney, Edward](#)
To: [Miller, Kevin](#)
Subject: RE: Photo
Date: Friday, August 28, 2020 12:23:00 PM
Attachments: [Appeal No. EPA-HQ-2020-004463 - Appeal Determination \(8-28-20\).doc](#)
[Appeal No. EPA-HQ-2020-004517 - Appeal Determination \(8-28-20\).doc](#)

Kevin,

Here are the draft appeal determinations for your review.

Thanks,
Ed

Edward O. Sweeney, Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel (MC 2377A)
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460
Tel: 202-564-2945

From: Miller, Kevin <Miller.Kevin@epa.gov>
Sent: Friday, August 28, 2020 12:12 PM
To: Blake, Wendy <Blake.Wendy@epa.gov>; Sweeney, Edward <Sweeney.Edward@epa.gov>
Subject: RE: Photo

That is fine. My intent was to have the program release the record.

From: Blake, Wendy <Blake.Wendy@epa.gov>
Sent: Friday, August 28, 2020 11:53 AM
To: Miller, Kevin <Miller.Kevin@epa.gov>; Sweeney, Edward <Sweeney.Edward@epa.gov>
Subject: RE: Photo
Importance: High

I need to respond to Katharine. Let me know if you want me to revise the following response in any way

Proposed response to Katharine:

GLO needs to finalize the appeal response letter, and Kevin Miller needs to sign it. Once we sign the appeal, OEX would release the record.

Wendy L. Blake
Associate General Counsel
General Law Office
Office of General Counsel

U.S. Environmental Protection Agency
phone: (202) 564-1821
fax: (202) 564-5433

From: Willey, Katharine <willey.katharine@epa.gov>

Sent: Friday, August 28, 2020 11:13 AM

To: Blake, Wendy <Blake.Wendy@epa.gov>

Subject: Photo

If we decide to release the photo this afternoon does OEX need to do anything or can we close it out on OGC's end?